



Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcorn
Robert C. Millonig
Donald J. Featherstone
Timothy J. Shea, Jr
Lawrence B. Bugaisky
Michael V. Messinger
Judith U. Kim

Patrick E. Garrett
Jeffrey T. Helvey
Heidi L. Kraus
Eldora L. Ellison
Thomas C. Fiala
Albert L. Ferro*
Donald R. Banowitz
Peter A. Jackman
Teresa U. Medler
Jeffrey S. Weaver
Kendrick P. Patterson
Vincent L. Capuano
Brian J. DeI Buono
Virgil Lee Beaton
Theodore A. Wood
Elizabeth J. Haanes
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Frank R. Cottingham
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George S. Bardmesser
Daniel A. Klein
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Aric W. Ledford
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Gaby L. Longworth
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Nicole D. Dretar
Ted J. Ebersole
Jyoti C. Iyer
Laura A. Vogel

Michael J. Mancuso
Bryan S. Wade
Aaron L. Schwartz
Michael G. Penn*
Shannon A. Carroll*
Wesley W. Jones*
Matthew E. Kelley*
Nicole R. Kramer*

Registered Patent Agents*
Karen R. Markowicz
Nancy J. Leith
Matthew J. Dowd
Katrina Yujian Pei Quach
Bryan L. Skelton
Robert A. Schwartzman
Teresa A. Colella
Jeffrey S. Lundgren
Victoria S. Rutherford

Michelle K. Holoubek
Simon J. Elliott
Julie A. Heider
Mita Mukherjee
Scott M. Woodhouse
Christopher J. Walsh
Liliana Di Nola-Baron
Peter A. Socarras
Jeffrey Mills

Of Counsel
Kenneth C. Bass III
Evan R. Smith
Marvin C. Guthrie

* Admitted only in Maryland
* Admitted only in Virginia
* Practice Limited to Federal Agencies

April 21, 2005

WRITER'S DIRECT NUMBER:
(202) 772-8560

INTERNET ADDRESS:
RESMOND@SKGF.COM

Mail Stop: Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Re: U.S. Utility Patent Application
Application No. 10/816,886; Filed: April 5, 2004
For: **Methods for Production and Purification of Nucleic Acid Molecules**
Inventors: Gruber *et al.*
Our Ref: 0942.4350002/RWE/AWL

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement Under 37 C.F.R. § 1.97(b);
2. Form PTO-1449 (4 pages) citing Twenty-Three (23) references;
3. First Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(b);
4. Form PTO-1449 (1 page) citing One (1) reference;
5. Second Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(b);
6. Form PTO-1449 (1 page) citing One (1) reference;

7. Third Supplemental Information Disclosure Statement Under
37 C.F.R. § 1.97(b);
8. Form PTO-1449 (3 pages) citing Eleven (11) references;
9. Fourth Supplemental Information Disclosure Statement Under
37 C.F.R. § 1.97(b);
10. Form PTO-1449 (1 page) citing One (1) reference;
11. Fifth Supplemental Information Disclosure Statement Under
37 C.F.R. § 1.97(b);
12. Form PTO-1449 (1 page) citing Two (2) references;
13. Sixth Supplemental Information Disclosure Statement Under
37 C.F.R. § 1.97(b);
14. Form PTO-1449 (1 page) citing One (1) reference;
15. Seventh Supplemental Information Disclosure Statement Under
37 C.F.R. § 1.97(b);
16. Form PTO-1449 (2 pages) citing Thirteen (13) references;
17. Copies of Two (2) cited references; and
18. One (1) return postcard.

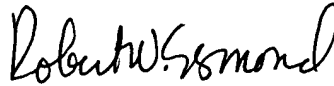
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
April 21, 2005
Page 3

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

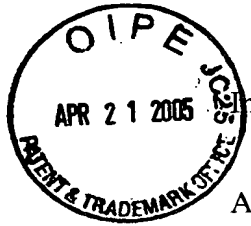
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Robert W. Esmond". The signature is fluid and cursive, with the first name "Robert" and last name "Esmond" clearly distinguishable.

Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

RWE/AWL:cpn
Enclosures

388311_1.DOC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gruber *et al.*

Appl. No.: 10/816,886

Filed: April 5, 2004

For: **Methods for Production and
Purification of Nucleic Acid
Molecules**

Confirmation No.: 3859

Art Unit: 1637

Examiner: Tung, J.

Atty. Docket: 0942.4350002/RWE/AWL

**Information Disclosure Statement
Under 37 C.F.R. § 1.97(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. Documents **AA1-AH1**, **AL1-AN1**, **AR1-AT1**, **AR2-AT2**, **AR3-AT3** and **AR4-AT4** were submitted to the Office in an IDS which complies with 37 C.F.R. § 1.98(a)-(c) in Application No. 09/076,115, filed May 12, 1998, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may

not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

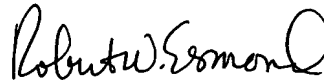
This Information Disclosure Statement is being filed before the mailing of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

Date: April 21, 2005

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

PRIORITY DOCKET NO.
 02/2.4350002/RWE/AWL
 FIRST NAMED INVENTOR
 Christian E. Gruber
 FILING DATE
 April 5, 2004

APPLICATION NO.
 10/816,886

ART UNIT
 1637

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	5,482,845	01/09/1996	Soares <i>et al.</i>			09/24/1993
	AB1	5,618,702	04/08/1997	Scanlon			08/06/1993
	AC1	5,618,703	04/08/1997	Gelfand <i>et al.</i>			02/22/1994
	AD1	5,629,179	05/13/1997	Mierendorf <i>et al.</i>			03/17/1995
	AE1	5,637,685	06/10/1997	Soares <i>et al.</i>			06/06/1995
	AF1	5,643,761	07/01/1997	Fisher <i>et al.</i>			10/27/1993
	AG1	5,681,726	10/28/1997	Huse <i>et al.</i>			09/02/1993
	AH1	5,726,022	03/10/1998	Burmer			01/09/1997
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1	WO 97/07244	02/27/1997	WIPO			Yes No
	AM1	WO 97/24455	07/10/1997	WIPO			Yes No
	AN1	WO 97/41249	11/06/1997	WIPO			Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

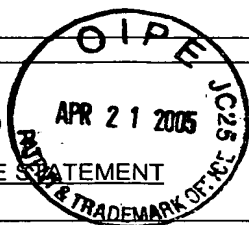
	AR	1	Carninci, P., <i>et al.</i> , "High-Efficiency Full-Length cDNA Cloning by Biotinylated CAP Trapper," <i>Genomics</i> 37: 327-336, Academic Press (1996)
	AS	1	Fellmann, F., <i>et al.</i> , "Simplified Protocol of Solid-Phase cDNA Libraries for Multiple PCR Amplification," <i>BioTechniques</i> 21:766, 768, 770, Eaton Publishing Company(1996)
	AT	1	Hara, E., <i>et al.</i> , "Subtractive cDNA cloning using oligo(dT) ₃₀ -latex and PCR: isolation of cDNA clones specific to undifferentiated human embryonal carcinoma cells," <i>Nucl. Acids Res.</i> 19:7097-7104, Oxford University Press (1991)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

Page 2 of 4	
<p style="text-align: center;">FORM PTO-1449</p> <p style="text-align: center;">INFORMATION DISCLOSURE STATEMENT</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> ATTY. DOCKET NO. 0942.4350002/RWE/AWL </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> APPLICATION NO. 10/816,886 </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> FIRST NAMED INVENTOR Christian E. Gruber </div> <div style="border: 1px solid black; padding: 5px;"> <div style="display: flex; justify-content: space-between;"> <div>FILING DATE April 5, 2004</div> <div>ART UNIT 1637</div> </div> </div>



U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
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FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)			
AR	2	Kuribayashi-Ohta, K., et al., "Application of oligo(dT) ₃₀ -latex for rapid purification of poly(A) mRNA and for hybrid subtraction with the in situ reverse transcribed cDNA," <i>Biochim. Biophys. Acta</i> 1156:204-212, Elsevier Science Publishers B.V. (1993)	
AS	2	Lambert, K.N., and Williamson, V.M., "cDNA library construction from small amounts of RNA using paramagnetic beads and PCR," <i>Nucl. Acids Res.</i> 21:775-776, Oxford University Press (1993)	
AT	2	Li, W.-B., et al., "The Isolation of Differentially Expressed Genes in Fibroblast Growth Factor Stimulated BC ₃ H1 Cells by Subtractive Hybridization," <i>BioTechniques</i> 16:722-729, Eaton Publishing Company (1994)	

EXAMINER	DATE CONSIDERED
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FORM PTO-1449 <u>INFORMATION DISCLOSURE STATEMENT</u>	ATTY. DOCKET NO. 0942.4350002/RWE/AWL	APPLICATION NO. 10/816,886
	FIRST NAMED INVENTOR Christian E. Gruber	
	FILING DATE April 5, 2004	ART UNIT 1637

U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>3</u>	Luqmani, Y.A., and Lymboura, M., "Subtraction Hybridization Cloning of RNA Amplified from Different Cell Populations Microdissected from Cryostat Tissue Sections," <i>Anal. Biochem.</i> 222:102-109, Academic Press, Inc. (1994)
	AS	<u>3</u>	Mészáros, M., and Morton, D.B., "Subtraction Hybridization Strategy Using Paramagnetic Oligo(dT) Beads and PCR," <i>BioTechniques</i> 20:413-419, Informa Life Sciences Publishing (1996)
	AT	<u>3</u>	Raineri, I., <i>et al.</i> , "Improved efficiency for single-sided PCR by creating a reusable pool of first-strand cDNA coupled to a solid phase," <i>Nucl. Acids Res.</i> 19:4010, Oxford University Press (1991)

EXAMINER	DATE CONSIDERED
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FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 0942.4350002/RWE/AWL	APPLICATION NO. 10/816,886
	FIRST NAMED INVENTOR Christian E. Gruber	
	FILING DATE April 5, 2004	ART UNIT 1637

U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>4</u>	Sasaki, Y.F., <i>et al.</i> , "Construction of a normalized cDNA library by introduction of a semi-solid mRNA-cDNA hybridization system," <i>Nucl. Acids Res.</i> 22:987-992, Oxford University Press (1994)
	AS	<u>4</u>	Thomas, M.G., <i>et al.</i> , "Sequencing of cDNA using anchored oligo dT primers," <i>Nucl. Acids Res.</i> 21:3915-3916, Oxford University Press (1993)
	AT	<u>4</u>	Van Gelder, R.N., <i>et al.</i> , "Amplified RNA synthesized from limited quantities of heterogeneous cDNA," <i>Proc. Natl. Acad. Sci. USA</i> 87:1663-1667, National Academy of Sciences (1990)

EXAMINER	DATE CONSIDERED
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gruber *et al.*

Appl. No.: 10/816,886

Filed: April 5, 2004

For: **Methods for Production and
Purification of Nucleic Acid
Molecules**

Confirmation No.: 3859

Art Unit: 1637

Examiner: Tung, J.

Atty. Docket: 0942.4350002/RWE/AWL

**First Supplemental Information Disclosure Statement
Under 37 C.F.R. § 1.97(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 is a document that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed herewith in connection with the above-captioned application. A copy of the U.S. patent cited on the attached Form PTO-1449 (document **AI1**) is not submitted in accordance with the Changes To Support Implementation of the United States Patent and Trademark Office 21st Century Strategic Plan, effective October 21, 2004, which states "section 1.98(a)(2)(i) is amended to eliminate the requirement in paragraph (a)(2)(i) for a copy of each U.S. patent or U.S. patent application publication listed in an IDS in a patent application regardless of the filing date of the application."

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates

should not be construed as an admission that the information was actually published on the date indicated.

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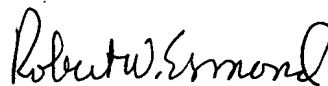
This Information Disclosure Statement is being filed before the mailing of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

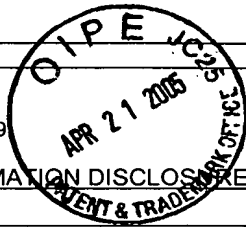
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

Date: April 21, 2005

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600



FORM PTO-1449

ATTY. DOCKET NO.
0942.4350002/RWE/AWLAPPLICATION NO.
10/816,886**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT**FIRST NAMED INVENTOR
Christian E. GruberFILING DATE
April 5, 2004ART UNIT
1637**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No


OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>5</u>	Gerard, G.F., "Reverse Transcriptase: A Historical Perspective," <i>FOCUS</i> 20:65-67, Origin Publishing, Ltd. (1998)
	AS		
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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

Page 1 of 3							
FORM PTO-1449 THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT	<div style="text-align: center;">  </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">ATTY. DOCKET NO. 0942.4350002/RWE/AWL</td> <td style="width: 50%;">APPLICATION NO. 10/816,886</td> </tr> <tr> <td colspan="2">FIRST NAMED INVENTOR Christian E. Gruber</td> </tr> <tr> <td>FILING DATE April 5, 2004</td> <td>ART UNIT 1637</td> </tr> </table>	ATTY. DOCKET NO. 0942.4350002/RWE/AWL	APPLICATION NO. 10/816,886	FIRST NAMED INVENTOR Christian E. Gruber		FILING DATE April 5, 2004	ART UNIT 1637
ATTY. DOCKET NO. 0942.4350002/RWE/AWL	APPLICATION NO. 10/816,886						
FIRST NAMED INVENTOR Christian E. Gruber							
FILING DATE April 5, 2004	ART UNIT 1637						

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
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FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO1	WO 89/12063	12/14/1989	WIPO			Yes No
	AP1	WO 90/06044	06/14/1990	WIPO			Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)			
	AR		
	AS	<u>5</u>	Dialog File 351, Accession No. 1995-124590/199517, Derwent WPI English language abstract for EP 0 645 449
	AT		

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	

FORM PTO-1449 THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 0942.4350002/RWE/AWL	APPLICATION NO. 10/816,886
	FIRST NAMED INVENTOR Christian E. Gruber	
	FILING DATE April 5, 2004	ART UNIT 1637

U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL2	WO 91/11533	08/08/1991	WIPO			Yes No
	AM2	WO 91/18114	11/28/1991	WIPO			Yes No
	AN2	EP 0 622 457	11/02/1994	Europe			Yes No
	AO2	EP 0 645 449	03/29/1995	Europe			Yes X No
	AP2	EP 0 735 144	10/02/1996	Europe			Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

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EXAMINER	DATE CONSIDERED
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FORM PTO-1449

ATTY. DOCKET NO.
0942.4350002/RWE/AWLAPPLICATION NO.
10/816,886FIRST NAMED INVENTOR
Christian E. GruberFILING DATE
April 5, 2004ART UNIT
1637**THIRD SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT****U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL3	EP 0 761 822	03/12/1997	Europe			Yes No
	AM3	WO 98/14619	04/09/1998	WIPO			Yes No
	AN3	EP 0 872 559	10/21/1998	Europe			Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gruber *et al.*

Appl. No.: 10/816,886

Filed: April 5, 2004

For: **Methods for Production and
Purification of Nucleic Acid
Molecules**

Confirmation No.: 3859

Art Unit: 1637

Examiner: Tung, J.

Atty. Docket: 0942.4350002/RWE/AWL

**Fourth Supplemental Information Disclosure Statement
Under 37 C.F.R. § 1.97(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Fourth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Third Supplemental Information Disclosure Statement filed herewith in connection with the above-captioned application. A copy of the U.S. patent cited on the attached Form PTO-1449 (document **AJ1**) is not submitted in accordance with the Changes To Support Implementation of the United States Patent and Trademark Office 21st Century Strategic Plan, effective October 21, 2004, which states "section 1.98(a)(2)(i) is amended to eliminate the requirement in paragraph (a)(2)(i) for a copy of each U.S. patent or U.S. patent application publication listed in an IDS in a patent application regardless of the filing date of the application."

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

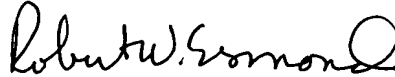
This Information Disclosure Statement is being filed before the mailing of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

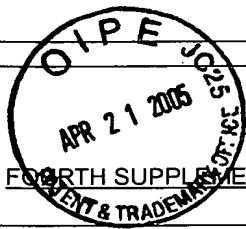
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Robert W. Esmond". The signature is fluid and cursive, with a large, stylized "R" and "E".

Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

Date: April 21, 2005

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600



FORM PTO-1449

FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENTATTY. DOCKET NO.
0942.4350002/RWE/AWLAPPLICATION NO.
10/816,886FIRST NAMED INVENTOR
Christian E. GruberFILING DATE
April 5, 2004ART UNIT
1637

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ1	5,932,451	08/03/1999	Wang <i>et al.</i>			11/19/1997
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR		
	AS		
	AT		

EXAMINER

DATE CONSIDERED

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of:

Gruber *et al.*

Appl. No.: 10/816,886

Filed: April 5, 2004

For: **Methods for Production and
Purification of Nucleic Acid
Molecules**

Confirmation No.: 3859

Art Unit: 1637

Examiner: Tung, J.

Atty. Docket: 0942.4350002/RWE/AWL

**Fifth Supplemental Information Disclosure Statement
Under 37 C.F.R. § 1.97(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Fifth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Fourth Supplemental Information Disclosure Statement filed herewith in connection with the above-captioned application. Documents **AK1**, and **AO3** were submitted to the Office in a Fifth Supplemental IDS, which complies with 37 C.F.R. § 1.98(a)-(c) in Application No. 09/076,115, filed May 12, 1998, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

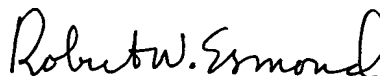
This Information Disclosure Statement is being filed before the mailing of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

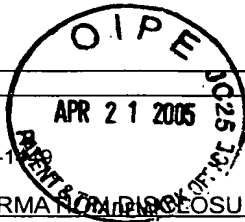
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

Date: April 21, 2005

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600



FORM PTO-100

FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO. 0942.4350002/RWE/AWL	APPLICATION NO. 10/816,886
FIRST NAMED INVENTOR Christian E. Gruber	
FILING DATE April 5, 2004	ART UNIT 1637

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK1	5,968,784	10/19/1999	Spinella <i>et al.</i>			01/15/1997

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO3	WO 98/31838	07/23/1998	WIPO			Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR		
	AS		
	AT		

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gruber *et al.*

Appl. No.: 10/816,886

Filed: April 5, 2004

For: **Methods for Production and
Purification of Nucleic Acid
Molecules**

Confirmation No.: 3859

Art Unit: 1637

Examiner: Tung, J.

Atty. Docket: 0942.4350002/RWE/AWL

**Sixth Supplemental Information Disclosure Statement
Under 37 C.F.R. § 1.97(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Sixth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Fifth Supplemental Information Disclosure Statement filed herewith in connection with the above-captioned application. Document **AP3** was submitted to the Office in a Sixth Supplemental IDS each of which complies with 37 C.F.R. § 1.98(a)-(c) in Application No. 09/076,115, filed May 12, 1998, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, a copy of this document is not attached.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on

information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

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This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

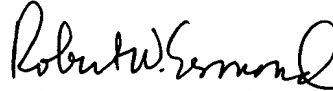
This Information Disclosure Statement is being filed before the mailing of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

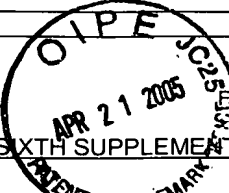
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Robert W. Esmond". The signature is fluid and cursive, with the first name "Robert" and last name "Esmond" clearly distinguishable.

Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

Date: April 21, 2005

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

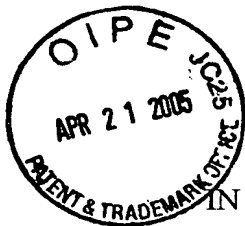
Page 1 of 1							
 FORM PTO-1449 SIXTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">ATTY. DOCKET NO. 0942.4350002/RWE/AWL</td> <td style="width: 50%;">APPLICATION NO. 10/816,886</td> </tr> <tr> <td colspan="2">FIRST NAMED INVENTOR Christian E. Gruber</td> </tr> <tr> <td>FILING DATE April 5, 2004</td> <td>ART UNIT 1637</td> </tr> </table>	ATTY. DOCKET NO. 0942.4350002/RWE/AWL	APPLICATION NO. 10/816,886	FIRST NAMED INVENTOR Christian E. Gruber		FILING DATE April 5, 2004	ART UNIT 1637
ATTY. DOCKET NO. 0942.4350002/RWE/AWL	APPLICATION NO. 10/816,886						
FIRST NAMED INVENTOR Christian E. Gruber							
FILING DATE April 5, 2004	ART UNIT 1637						

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP3	WO 96/12014	04/25/1996	WIPO			Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)							
	AR						
	AS						
	AT						

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gruber *et al.*

Appl. No.: 10/816,886

Filed: April 5, 2004

For: **Methods for Production and
Purification of Nucleic Acid
Molecules**

Confirmation No.: 3859

Art Unit: 1637

Examiner: Tung, J.

Atty. Docket: 0942.4350002/RWE/AWL

**Seventh Supplemental Information Disclosure Statement
Under 37 C.F.R. § 1.97(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Seventh Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Sixth Supplemental Information Disclosure Statement filed herewith in connection with the above-captioned application. Documents **AR6** and **AS6** were cited by the Office in Application No. 09/076,115, filed May 12, 1998, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. Copies of the U.S. patents cited on the attached Form PTO-1449 (documents **AA2** to **AI2**) are not submitted in accordance with the Changes To Support Implementation of the United States Patent and Trademark Office 21st Century Strategic Plan, effective October 21, 2004, which states "section 1.98(a)(2)(i) is amended to eliminate the requirement in paragraph (a)(2)(i) for a copy of each U.S. patent or U.S. patent application publication listed in an IDS in a patent application regardless of the filing date of the application." Copies of documents **AT5** and **AT6** are attached.

The Examiner's attention is directed to the following co-pending U.S. Patent Applications, which are directed to related technical subject matter:

U.S. Application No. 09/064,057, filed April 22, 1998; published on February 13, 2003 as 2003/0032086 A1 (Document **AF2**);

U.S. Application No. 10/292,604, filed November 13, 2002, and published on October 2, 2003 as 2003/0186270 A1 (Document **AG2**);

U.S. Application No. 10/292,662, filed November 13, 2002, and published on October 23, 2003 as 2003/0198944 A1 (Document **AH2**); and

U.S. Application No. 10/861,469 filed June 7, 2004, and published on November 4, 2004 as 2004/0219595 (Document **AI2**).

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

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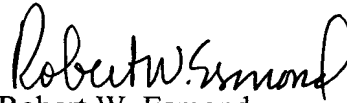
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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

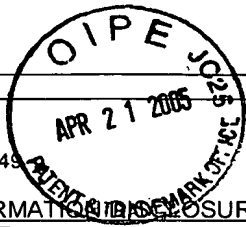
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Robert W. Esmond". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

Date: April 21, 2005

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600



FORM PTO-1449

SEVENTH SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENTATTY. DOCKET NO.
0942.4350002/RWE/AWLAPPLICATION NO.
10/816,886FIRST NAMED INVENTOR
Christian E. GruberFILING DATE
April 5, 2004ART UNIT
1637

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2	6,518,019	02/11/2003	Gerard <i>et al.</i>			02/05/1999
	AB2	6,835,561 B1	12/28/2004	Gerard <i>et al.</i>			02/05/1999
	AC2	5,631,147	05/20/1997	Lohman <i>et al.</i>			09/21/1995
	AD2	6,495,350 B1	12/17/2002	Lee <i>et al.</i>			12/23/1999
	AE2	6,767,724 B2	07/27/2004	Lee <i>et al.</i>			08/21/2002
	AF2	2003/0032086 A1	02/13/2003	Gerard <i>et al.</i>			04/22/1998
	AG2	2003/0186270 A1	10/02/2003	Gerard <i>et al.</i>			11/13/2002
	AH2	2003/0198944 A1	10/23/2003	Gerard <i>et al.</i>			11/13/2002
	AI2	2004/0219595 A1	11/04/2004	Lee <i>et al.</i>			06/07/2004
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

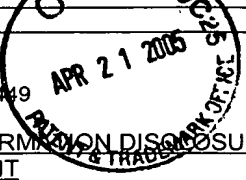
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR		
	AS		
	AT	<u>5</u>	European Search Report for European Application No. EP 98 92 2202, European Patent Office, The Hague, mailed on October 16, 2000

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

Page 2 of 2							
FORM PTO-1449 SEVENTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT	<div style="text-align: center;">  </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">ATTY. DOCKET NO. 0942.4350002/RWE/AWL</td> <td style="width: 50%;">APPLICATION NO. 10/816,886</td> </tr> <tr> <td colspan="2">FIRST NAMED INVENTOR Christian E. Gruber</td> </tr> <tr> <td>FILING DATE April 5, 2004</td> <td>ART UNIT 1637</td> </tr> </table>	ATTY. DOCKET NO. 0942.4350002/RWE/AWL	APPLICATION NO. 10/816,886	FIRST NAMED INVENTOR Christian E. Gruber		FILING DATE April 5, 2004	ART UNIT 1637
ATTY. DOCKET NO. 0942.4350002/RWE/AWL	APPLICATION NO. 10/816,886						
FIRST NAMED INVENTOR Christian E. Gruber							
FILING DATE April 5, 2004	ART UNIT 1637						

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
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	AG						
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	AJ						
	AK						

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	6	Ando, T., <i>et al.</i> , "A One-Tube Method of Reverse Transcription-PCR To Efficiently Amplify a 3-Kilobase Region from the RNA Polymerase Gene to the Poly(A) Tail of Small Round-Structured Viruses (Norwalk-Like Viruses)," <i>J. Clinical Microbiology</i> 35:570-577. American Society for Microbiology (1997)
	AS	6	Frohman, M.A., "RACE: Rapid Amplification of cDNA Ends," in <i>PCR Protocols: A Guide to Methods and Applications</i> , Innis, M.A., <i>et al.</i> , eds., Academic Press, pp. 28-38 (1990)
	AT	6	International Search Report for International Application PCT/US98/09586, European Patent Office, Netherlands, mailed on September 15, 1998

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gruber *et al.*

Appl. No.: 10/816,886

Filed: April 5, 2004

For: **Methods for Production and
Purification of Nucleic Acid
Molecules**

Confirmation No.: 3859

Art Unit: 1637

Examiner: Tung, J.

Atty. Docket: 0942.4350002/RWE/AWL

**Third Supplemental Information Disclosure Statement
Under 37 C.F.R. § 1.97(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Third Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Second Supplemental Information Disclosure Statement filed herewith in connection with the above-captioned application. Documents **AO1-AP1**, **AL2-AP2**, **AL3-AN3** and **AS5** were submitted to the Office in a Third Supplemental IDS which complies with 37 C.F.R. § 1.98(a)-(c) in Application No. 09/076,115, filed May 12, 1998, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following, in regards to a non-English language document cited on Form PTO 1449:

Document **AO2**, EPO Publication No. EP 0 645 449, is in the German language. An English language abstract of EP 0 645 449 was provided as document **AS5** and is believed to be equivalent to document **AO2**.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

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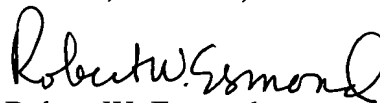
This Information Disclosure Statement is being filed before the mailing of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

Date: April 21, 2005

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600